

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DR. DOUGLAS SCHOTTENSTEIN, M.D., : 22cv1197 (DLC)  
THOMPSON REAL ESTATE, LLC and :  
SCHOTTENSTEIN PAIN AND NEURO, PLLC, : ORDER  
Plaintiffs, :  
-v- :  
DEREK LEE and PEARL CHAN, :  
Defendants. :  
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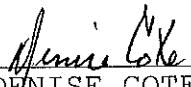
DENISE COTE, District Judge:

On August 14, 2023, the defendants filed a letter requesting a conference regarding a discovery dispute and a 60-day extension to file summary judgment motions or a Joint Pretrial Order. The Pretrial Scheduling Order, dated September 30, 2022, set the deadline to file summary judgment motions or in the alternative a Joint Pretrial Order for August 18, 2023. Fact discovery was ordered to be completed by April 28. On April 24, the Court granted the plaintiffs' request for the extension of fact discovery to June 27, to the extent that request was on consent, but stated that the August 18 deadlines are firm. The defendants failed to raise with the Court any of the discovery issues detailed in their August 14 letter before the June 27 fact discovery deadline, or at any time before

August 14. Accordingly, it is hereby  
ORDERED that the request for a discovery conference is  
denied.

IT IS FURTHER ORDERED that the request for an extension of  
the August 18 deadlines is denied. If a summary judgment motion  
is filed on August 18 by the plaintiffs, the defendants may  
invoke their rights under Fed. R. Civ. P. 56(d) to the extent  
permitted by Second Circuit Law.

Dated: New York, New York  
August 16, 2023

  
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DENISE COTE  
United States District Judge